

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRANK SILOUANGKHOTH, et al.

Defendants.

MEMORANDUM DECISION AND
ORDER GRANTING DEFENDANTS'
MOTION TO CONTINUE AND
MOTIONS FOR JOINDER

Case No. 2:10-CR-821 TS

On October 14, 2011, Defendant Frank Silouangkhoth filed a Stipulated Motion to Continue the Trial Date in the present action.¹ On October 18th, Defendants Jason Michael Grant,² Dante Rodriguez,³ and Bryan Steven Stair⁴ each filed a Motion for Joinder with respect to Silouangkhoth's Motion to Continue.

¹Docket No. 170.

²Docket No. 171.

³Docket No. 172.

⁴Docket No. 173.

For the reasons set forth in Defendant's Motion, the Court finds that this case is complex due to the number of individuals involved and who will now be testifying on behalf of the Government and the need to provide those statements to the defendant and it is not possible to adequately prepare for pretrial and trial proceedings within the time remaining within calculations under the Speedy Trial Act. Based upon the defendant's motion to continue the trial date and the Government agreeing to the continuance, the Court hereby finds that it is necessary that the final pretrial conference and the trial should be continued and the time excluded under the Speedy Trial Act until the rescheduled trial date. Accordingly, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(ii), the Court also finds that the ends of justice are served by excluding this period of time from the time within which the trial must commence, and taking such action outweighs the best interest of the public and the defendant in a speedy trial.

It is therefore

ORDERED that Defendants' Motion to Continue (Docket No. 170) and Motions for Joinder (Docket Nos. 170-173) are GRANTED. It is further

ORDERED that, as to Defendants Frank Silouangkhoth, Jason Michael Grant, Dante Rodriguez, and Bryan Steven Stair, trial be continued until December 12, 2011. It is further

ORDERED that the time between October 31, 2011, and the new trial date of December 12, 2011, shall be tolled from the Speedy Trial Act calculation.

DATED October 21, 2011.

BY THE COURT:



TED STEWART
United States District Judge